

Grand Prize, Panama-Pacific Exposition, San Francisco, 1915  
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## DIRECTORS OF NEW HAVEN APPROVED MELLEN'S WORK

[Republican A. P. Leased Wire]  
NEW YORK, Dec. 3.—Testimony intended to show that the directors of the New York, New Haven and Hartford railroad approved steps taken by Charles S. Mellen to make a traffic agreement with the Grand Trunk railway of Canada, in the face of notification by the attorney general of the United States that the agreement was to be investigated as an alleged infraction of the Sherman law, was introduced today at the trial of the eleven former directors of the road on the charges of criminal violation of the law.

The government brought out that the day before the New Haven directors approved a report of President Mellen on the progress of the negotiations for the traffic agreement, New Haven directors had received subpoenas in connection with the grand jury investigation into the dealings between the Grand Trunk and the New Haven. This meeting was held November 21, 1912, and Mellen testified that he had been informed on November 20, that the subpoenas had been served.

Mellen also testified that when he learned that the investigation was in progress he wrote a letter to United States District Attorney Wise of New York, stating upon himself the responsibility for the Grand Trunk transaction for the purpose of preventing the late J. P. Morgan from becoming involved. Although he made it clear that Mr. Morgan was not involved in the matter directly under inquiry by

the grand jury, the traffic agreement and the virtually simultaneous abandonment of the Grand Trunk's extension to Providence, Rhode Island and the New Haven's projected parallel line to the Grand Trunk's line on the Vermont-New Hampshire border, Mr. Mellen said he was afraid that Morgan had "done something."

"I didn't know what," he said, "and I wanted to keep out of the messy mess."

The witness explained that he referred to Mr. Morgan's "obsession" that the New Haven should purchase the New London Northern railroad from the Grand Trunk and to interviews and correspondence the financier had had with Edison J. Chamberlin and Alfred W. Smithers, Grand Trunk executives, on the subject.

This letter to Wise, Mr. Mellen testified had been prepared after a consultation with Edward D. Robbins and Lewis Cass Ledyard, defendants, and after an interview he had had with Morgan.

The government brought out further that during the progress of the jury investigation, which resulted in the indictment of Mellen, Smithers and Chamberlin it came to Mellen's knowledge that the inquiry was to be enlarged so as to include the question of the alleged monopoly of the whole transportation system of New England. This, Mr. Mellen said, resulted in efforts by the New Haven to have it limited to the Grand Trunk matter only.

## ARGUMENTS END IN CASE AGAINST TWO PACIFICS

[Republican A. P. Leased Wire]  
ST. LOUIS, Dec. 3.—Arguments were concluded today in the case of the government to separate the Central Pacific from the Southern Pacific railway, and when the final briefs are filed on Monday, December 13, the three circuit judges who heard the arguments will begin final consideration of the petition for dissolution of the Southern Pacific system.

These judges are Walter H. Sanborn of St. Paul, William C. Wood of Louisville and John E. Carroll of Washington, D. C.

The entire afternoon session of the court was occupied today by Edward P. McClellens, attorney for the government in his argument in rebuttal of the arguments made by the attorneys for the Southern Pacific.

"It is shown in the evidence," asked Presiding Judge Sanborn, "that the tonnage over the Central Pacific is as great now as it would be if the roads were separated, should the court consider that fact in reaching its conclusion?"

"No," replied Mr. McClellens, "for how can the court decide whether the tonnage now is as great as it would be if the Central Pacific were a separate line?"

"If the court finds that no harm has been done by the Southern Pacific ownership of the Central Pacific," continued Judge Sanborn, "how then can it find that harm will be done, how can it grant an injunction?"

To this question, Mr. McClellens replied:

"Under the Sherman anti-trust law the power to do harm is the evil at which the statute aims. If the power to do harm exists because of the Southern Pacific ownership of the Central Pacific, that is the vital fact to be considered."

Mr. McClellens insisted that there was no inconsistency in the position of the government in the Union Pacific dissolution case and in the present case, that the supreme court held that the vital factor in the Union Pacific merger was the ownership by one company of the Southern Pacific and the Central Pacific lines.

What steps were taken, the government insisted, to keep at a later date, but elicited from Mr. Mellen this statement:

"We (the witness, Ledyard and Robbins) had various conversations and felt that everything should be done—every influence brought to bear to limit it. We didn't know what might happen." He added that such a reply would have had a serious effect upon the ability of the New Haven to raise funds to meet its then financial necessities.

The government expects to prove by other testimony that Ledyard went to Washington, met Attorney General Wickersham and President Taft, representing that effect that the inquiry would have upon the New Haven and the general financial situation, with the result that the entire investigation was dropped.

In connection with this testimony, which probably will be documentary, there is reason to believe that a later tense will call both Mr. Taft and Mr. Wickersham. It was reported in court today that Mr. Taft had expressed a willingness to testify.

## "HIGH WINDS" LETTERS READ IN SCHMIDT TRIAL

[Republican A. P. Leased Wire]  
LOS ANGELES, Dec. 3.—Letters telling of "high winds" and "organization work" phrases alleged to relate to dynamiting conspiracy said to have existed among officials of the International Association of Bridge and Structural Iron Workers, were read into the records all day today at the trial of Mathew A. Schmidt, charged with murder as the result of the Los Angeles Times explosion five years ago.

Among the letters, which were all taken from the files of the International Association in Indianapolis, was one purporting to be from Herbert S. Hookin, of Detroit, to J. J. McNamara, secretary-treasurer of the association, and dated December 1, 1906. In discussing a car derrick operated by an "open shop" concern, it reads in part, as follows:

"The car was standing on a high bank and I hear that one night a high wind blew it off. Well, what are you laughing at?"

Another letter alleged to have been written September 30, 1907, to McNamara by Michael J. Hannon of Scranton, Pa., contains an appeal for money to aid the strikers in Scranton, and reads:

"I am prepared to do anything, but you know how careful a man must be in a case of this kind."

"Causing trouble" to "unfair firms" and "will put the job on the bum" are expressions which occurred frequently in the correspondence. It is estimated several more days will be consumed in the introduction of this evidence.

JOINS STATE TRADE BOARD—Warren District Commercial club, through its secretary, Joseph H. Gray, has accepted the invitation to join the State Board of Trade, organized here during the meeting of commercial club secretaries at the fair.



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